App. F. IX-4

Previous References
M(G), SO 39-1-12

1941 (May) 3

File No. 261-40
Serial Nos. 1–8

Later References.
Mag dep 14 9 41.
413-41 (1-4), B. July 1944

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. eight

Part B for May/1941

SUBJECT.

The management of Clarke Naraniah Chattram at Dobbspet, Nelamangala Taluk

No 2784 dt 3/5/41
2886 dt 15/5/41

To
The Mugrai Commissioner,

WD 0578—GPB—22,500—12-9-39

Forwarding the petn to Mugrai Commissioner for holding an enquiry and passing necessary orders

CR No
30/6/41

PP. F. III—1]

GENERAL AND REVENUE SECRETARIAT.

(Mwz)

NOTES. File No. 261-40

FILE HEADING.

Petition of Mr. T. D. Ashwathnarayan, residing at clerk Naranah's palyam, Nelamangala Tk.

FROM T. D. Ashwathnarayan.

No. Dated 23-1-1941 Received 24-1-41

Diary No. 1108 | Encls. 4 Spare copies | Serial No. 1

BRIEF ABSTRACT OF LETTER

The petitioner brings to the notice of the Govt, that in spite of the petitioner being restored to the sole management of the chattram Dobbspet, he is being troubled by the responder who is his son, by taking ex-parte stay orders from the Muzrai Commissioner

NOTES AND ORDERS.

The petitioner was restored to the sole-management of the Chattram at Dobbspet dated 2-3-1940 as per G o No 1886/Mwz 83-39-12, the Deputy Commissioner, Bangalore agreed to the agreement between the father and son that they would jointly manage the chattram for three years. This agreement for to manage the institution jointly expired on 29th July 1940. The petitioner states that

NOTES—First Sheet

2)

Petition of D. T. Aswathnarayan

File No. 261 of 1940.

General Secretariat

after the expiry of the period of joint management, the Muzrai commissioner ordered on 26-12-1940 that the petitioner should assume the management of the Chattram. In the mean while the petitioner states that the respondent has obtained a stay order on 2-1-1941. The petitioner states that he managed to vacate the stay order. While vacating the stay order it is stated that the M.C has imposed a condition that the Amildar of Nelamangala Taluk should not release the crops deposited by the petitioner's tenants, as a consequence of which he has been subjected to considerable loss. If approved a report will be called for from the M.C for orders. This is a dispute between the father & his son in respect of mere orders the yield from the Dharmadaya Inamlands endowed for the maintenance of the Chattram at Dobbaspet-Nelamangala T.K. The records relating to this Chattram were here once before & they did not reveal that the Instn was maintained in an efficient condition. This is apparently due to the differences

Petition 25/1/41 Certain reports for that both the father & the son maybe allowed to jointly manage the affairs of the Chattram.

GS 28/1 This is apparent on behalf of the respondent

Serial No.	
	between the two - The petr, the father of the respondent requests the Cancellation of the M.C.'s order directing the Amildar Nelamangala Tk to keep the yield from the Chattram lands in deposit pending disposal of their rights whether there is any need for interference at present is a matter for orders —
	SS 28/1
	3) A report may be called for from the M.C. stating whether the evidence of witnesses during which there was ample opportunity for the advocates of the parties, who did not engage counsel to appear before him, should have come to the conclusion pending any further inquiry, I orders. The circumstances under which the Amildar has been authorised to receive the dues
	29.1.41
	4 Secy
	29/1/41
5	Off to the Mysore Commissioner at Bangalore
	CKS 29/1/41 SS 29/1
2	Letter No 2009 dated 30-1-41 to M C

GENERAL SECRETARIAT 29 JAN 1941

SECTION JAN. 1941 DIV.

NOTE—Contn. Sheet.

Petitions Mr. T. D. Ashwath

Muz File No. 261 1940. General and Rev Secre ariat

Serial No.

calling for a report

SusA 31/1/41 ✓

Letter No. P.C. 309/40-41 dt 1-4-41 from the Muz Comr. submitting a report as called for.

Petition dt 9-4-1941 from T.D. Ashwath-narayan of the Chattram at Dobbspet, Sompur, Nelamangala Tk praying that restriction imposed on him by the Muz. Comr. from taking the produce realised from the inam lands endowed to the chattram may be cancelled.

The M.C's office file containing M.C's Order of 12-1-41 referred to in para 4 of P. U. D. I is not among the records received. It is ascertained that an official communication is necessary for sending the file here.

The Asst. calling for the file is put-up for orders

CM 15/4/41 GS 17/4/41

Letter No 2538 dt 14-4-1941 to the Muz. Comr calling for additional records.

TYPING SECTION 10 APR. 1941 GEN. & REV. SECTT

SusA 17/4/41

Letter No P C 309/40-41 dt 28-4-41 from the Mysrai Comr forwarding additional records called for.

Serial No.

P U D II

10) The report furnished by M.C is subd. for orders. Ref paras 3 and 4 supra.

CKS 30/4/41

P U D

|| The Mun: Comrs letter dated 1.4.41 explains the position. It will be seen therefrom that subsequent to the petitioner filing his petition with govt, he has approached the M.C who has permitted him to take the remaining portion of the crop subject to certain conditions. No order seems therefore called for on the petition.

|| It may however be submitted that the system of joint management of the Bhattavan & the lands by the petitioner & the Devasthanam is found to work satisfactorily inasmuch as no complaint has been received either from the petitioner or the institution. If however any change should be made suitable orders passed. The M.C may be requested to take necessary action.

Very truly
30/4

Secy
30/4

2nd member

OFFICE OF THE HON'BLE MEMBER OF COUNCIL
1 MAY 1941
No. 1113

GENERAL SECRETARY
30 APR 1941
3062

NOTE—Comm. Sl.

Petition of Mr. T.D Ashwath Narayana Dobbspet. Nelamangala

Myl File No. 261 of 194 6-41 General Secretariat

	Serial No.
Off to M.C is put up CKS 2/5/41	
	2 MAY 194
Letter No 2714 of 3-5-1941 to the Munsiff commissioner to hold an enquiry and pass necessary orders B/5/41	6
Petition of 6-5-1941 from Mr D Bhayapathy, Agricultural Inspector, praying ~~may be appointed~~ that he may be appointed as the manager of Clarke Narainah's Chattram in Dobbspet Nelamangala Taluk and the properties ~~attached to the Chattiram~~ entrusted to it.	7
(1) As the chattram has been kept in a state of disrepair by the present managers, Mr. T D Ashwathnarayan Row and his T A Rama Row, the M.C has been requested on 3-5-1941 to hold an enquiry and to pass suitable orders.	N
(2) The petitioner states that he is the brother of T D Ashwath narayan and that he is interested in the maintenance of the chattram. It is submitted for orders whether the petition may be sent to M.C for ~~orders~~ local investigation & the file endorsed thereto. CKS 13/5/41 to the M.C. for ~~Consideration~~ disposal	

Serial No.

In connection with the disposal of the question of management of the Chattram & the lands attached thereto

GENERAL SECRETARY. 13 MAY 1941 3395

A dft. letter to M.C and a dft. endorsement to the petitioner are put up

CKS 13/5/1941

TYPING SECTION 14 MAY 1941 REN. & REV. SECT.

015-5-4

No 2786 to the Mayyan Samiyar Sahib forwarding the petition

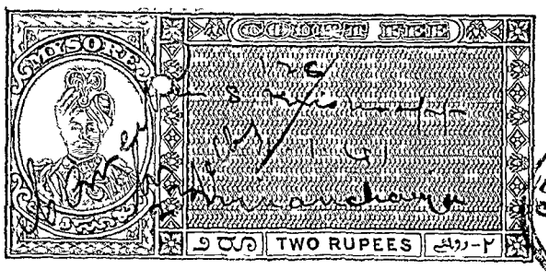
No 2787 of 15-5-41 copy

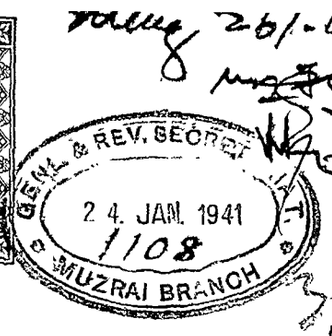
File No.

of 194

Secretariat

Serial No.





Dated 26/-40.

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA

OF MYSORE AT BANGALORE.

T. D. Aswathanarayan, residing at Clerk Narasiah's palyam, Sompur Hobli, Nelamangala Taluk } Petitioner.

--(vs)--

T. A. Rama Rao, residing at Clerke Narasiah's palya, Sompur Hobli, Nelamangala Taluk } Respondent.

--

The petitioner begs to state as follows:--

1. ~~That~~ He is the grand-son of the founder of the Chatram at Dobbspet(Sompur) Nelamangala Taluk and has inherited the right to manage the institution and has been so managing during the past 30 years.

2. The respondent is his son by his deceased first wife and has been living seperate with his wife and children as the petitioner has married a second wife and has four children by her. Consequently he wanted an opportunity to manage the institution jointly and the petitioner consented to the proposal as a temporary measure and the Deputy Commissioner ordered on 8th July 1937 as a tentative measure for three years that both might look after the management as agreed to by the petitioner.

3. But taking advantage of this, the respondent resorting to all kinds of fraud and misrepresented in

in securing an exparte order from the Deputy Commissioner on 26th October 1938 appointing him to the sole management to the exclusion of the petitioner's.

4. The petitioner preferred Muzrai appeal No MC of 1938 - 3 before the Muzrai Commissioner and obtained a stay order but as the stay order was not given effect for more than 1 1/2 months by the local officers, he sustained heavy loss and the respondent managed to get the stay order vacated and the final orders in the appeal were passed on 13th July 1939 allowing his appeal.

5. Against the above order the respondent preferred an appeal to the Government in Muzrai appeal No. 4 of 1939 - 40 which was heard and dismissed and the same was communicated to the respondent by Government in their order No.1886/ Muz.93-39-12 dated 2nd March 1940.

6. In the meanwhile the period of three years fixed for the temporary joint management agreed to by the petitioner and approved by the Deputy Commissioner as mentioned above, expired on 9th July 1940 and cannot longer be in force subsequent to that date.

7. In view of these circumstances, the petitioner applied to the Muzrai Commissioner on 26/12/1940 praying for direction to that effect. The Learned Muzrai Commissioner has passed a considered order M. Dis.312 of 40-41 dated 26/12/1940 as per certified copy herewith produced. He begs to leave to submit that the joint management has automatically ceased by the expiry of 3 years

fixed therefor.

But the respondent managed to obtain an exparte order on 2/1/1941 from the same officer, staying his own considered order of 26/12/1940, which has been passed on merits. The petitioner filed an application on 9th January 1941 to vacate the ex parte order and the Learned Muzrai Commissioner has accordingly cancelled the order of stay but he has imposed a condition to the effect that the Amildar of the Nelamangala taluk should not release the crops grown on the Inam lands of the chatram by the tenants of the petitioner but keep it in deposit. The endorsement Mis case No.~~321~~ 397 of 40-41 dated nil to that effect. By this direction which is passed again exparte, the petitioner is put to considerable loss and inconvenience. According to the terms of the grant of inams, the crops grown go to the manager of the chatram and no portion of it goes to Government. Now paddy crops have been cut and put in small heaps by the tenants who have cultivated them. The present direction results in total wastage and deterioration and benifits none.

The Learned Muzrai Commissioner could not have issued such directions when the Government interest are not ~~disputed~~ involved and it is therefore invalid.

Such exparte orders of stay issued by the same officer in this case previously, have resulted in total ruin of the petitioner and his family besides enabling the respondent to cause damage and mischief and also creating ucertainty and disrespect on the part of the cultivating tenants.

Wherefore

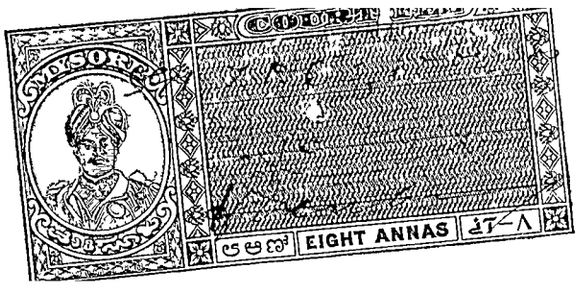
Wherefore he prays that the benign Government be pleased to pass emergent orders cancelling the directions issued by the Muzrai Commissioner to the Amildar in his said order Mis case No. 321 of 40-41 dated nil which is herewith produced.

Bangalore City,
23 / 1 / 1941

T. D. Aswathanarayan.

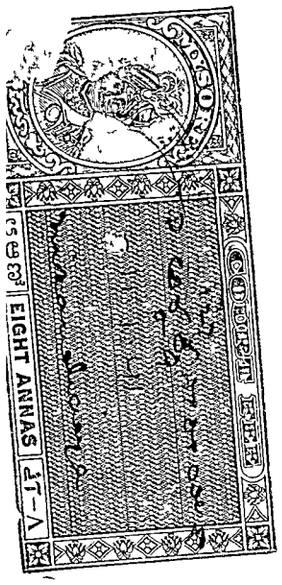
Petitioner.

Advocate for petitioner.



3467

Order of the Muzrai Commissioner in Mysore Bangalore



Reference: This office orders passed in Appeal No. 16/38-39 on 18-7-1939 and 16-8-39 setting aside the order of the Deputy Commissioner, Bangalore district, appointing Mr T.A. Rama Rao as the sole manager of the Chattram at Doddpet, Nelamangala Taluk, thereby restoring the joint management of the appellant Mr T.D. Aswathanarayana Rao, along with the respondent Mr. T.A. Rama Rao.

2) G.O. No. 1886/Muz 63-39-12 dated 2-3-1940 passed in Appeal Case No 4/39-40 confirming this Office appeal order referred to above and dismissing the appeal of Mr T.A. Rama Rao.

3) This Office Endorsement No D2 Dis 1166 39-40 dated 14-6-1940 issued to Mr T.D. Aswathanarayana Rao stating that he could not be conceded the right of sole management of the above-Chattram

4) petition dated 17-12-1940 from Mr T.D. Aswathanarayana Rao requesting for reasons stated therein that he may be restored to the sole management of the chattram, and that necessary instructions may be issued to the local authorities to direct the cultivating ryots of the inam lands to hand over the land lord's share of crop to him

Order No. D1 Dis 312/40-41 dated 26-12-41

This office-order in appeal No. 16/38 dated 18-7-1939 which is Confirmation No. 1886/Muz 83-39-12 dated 2-1-1940 set aside the order of the Deputy Commissioner dated 26-10-1938 appointing Mr T.A Rama Rao as the sole manager and restored the joint managership of the petitioner Mr T.D. Aswathanarayana Rao along with Mr T.A. Rama Rao as previously ordered by the Deputy Commissioner on 29-7-1937. This order of the Deputy Commissioner dated 29-7-1937 was passed tentatively for a period of three years and it ceased on 29-7-1940. The management should therefore vest with the petitioner Mr T.D. Aswathanarayana Rao from 29-7-1940, who was the sole manager prior to the order of the Deputy Commissioner dated 29-7-1937

2) The Deputy Commissioner is requested to issue necessary instructions to the local officers accordingly

9-1-41

(Sd) K.M. Narasimhaiya
For Muzrai Commissioner

Copy applied on 9-1-41
Copy ready on 9-1-41
Copy delivered on 9-1-41
Copied by V. Gundachandrappa.
Compared by K. Narasimha Iyengar
No. of words 388.
Copying fees Rs 0-8-0
Comparing fees Rs 0-2-0
Total Rs 0-10-0

— Copy —

Copy authenticated
11/1/41.

By order
Syed Pasha Saheb
11-1-41.
Manager
Muzrai Commr's office
Bangalore

Office of the Muzrai Commissioner in Mysore.

Dated Bangalore, 2-1-1941. *193* .

Endorsement granted to.....

Petition Register No.....

Dated.....

Subject

.....

.....*in reply*

to his Petition Register No. as per margin.

The Petitioner is informed that.....

.....

.....

.....

.....

Deputy Commissioner.

P.C. 309/40-41

W.D. 01591—GPB—500—4-3-39

IN THE COURT OF THE MUZRAI COMMISSIONER IN MYSORE,
BANGALORE.

Misc. Case No.M.C.321/40-41.

Petitioner:- T. A. Rama Rao, Clarke Narasimha's Palyam, Somur Hobli Nelamangala Taluq.

Through

Mr. C. V. Srinivasan, B.A., B.L., Advocate, Balepet Bangalore City.

Counter-petitioner:- T. D. Aswathanarayana Rao, residing at Clarke Narasimha's Palyam, Somur Hobli, Nelamangala Taluq.

Through

Mr. [illegible], B.A., B.L., Advocate, Balepet, Bangalore City.

Subject:- Re. the management of the chattram at Sobhapet, Nelamangala Taluq.

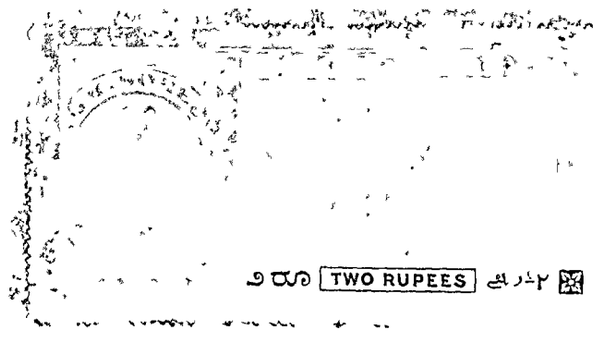
M.C.321/40

The petitioner in the above petition has applied for an interim stay against issue of the [illegible] dated 6.9.1940 in favour of the petitioner in [illegible].

The matter, although [illegible] has been [illegible] not to release the crop on the said lands, this year, to either party but, to deposit, pending disposal of their petitions.

M. N. Ramachar.
for Muzrai Commissioner.

kkn



ಬೆಂಗಳೂರು ನಗರದ ಸಿವಿಲ್ ನ್ಯಾಯಾಧೀಶರ ಕೋರ್ಟಿಗೆ.

1940-41 ನೇ [illegible] ನಂಬರು

ವಾದಿ ಯಾ ಅರ್ಜಿದಾರ್		ಪ್ರತಿವಾದಿ ಯಾ ಅಪೋನೆಂಟ್
Aswathanarayan	Vs	Ramarao

ಹೈಕೋರ್ಟು ಅಡ್ವೋಕೇಟ್ ಮಾ|| ರಾ|| ಎಸ್. ಕೃಷ್ಣಪ್ಪನವರಿಗೆ

[illegible] ಬರಸಿಕೊಟ್ಟ ವಕಾಲತ್ ನಾಮಾ

ಈ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಅಪ್ಪೈರುವರಿಗೂ ಕೋರ್ಟನಲ್ಲಿ ವಿವಾದ ಜರಿಗಿಸುವುದಕ್ಕೂ, ನನ್ನ ಪರ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರನ್ನೂ ಡಿಕ್ರಿಯನ್ನೂ ಜಾರೀಕ್ರಮ ನಡಿಸಿ ಹಣ ವಸೂಲು ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂ, ರಾಜಿ ವಗೈರೆ ಫೈಸಲ್ಮಾಡಿಸತಕ್ಕ ಬಗ್ಯೂನನಗೆ ಕೋರ್ಟನಿಂದ ಸಲ್ಲಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ ಮೊಬಲಗು, ಶಿಲ್ಕು ಮೊಬಲಗು ರೀಫಂಡು ಸ್ಟ್ಯಾಂಪು ಮೊಬಲಗು, ದಸ್ತೈವಜು ವಗೈರೆಗಳನ್ನು ವಾಪಸುಪಡಿಯಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ಮತ್ಯಾವ ಲಾಯರಾಗಲಿ ಈ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ನಡಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇದೀನೆ.

Aswatha

[illegible]

ಈ ಮೊಖ್ತಾರುನಾಮೆ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ಥ ರಾಗಿ ನನ್ನ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿರುತ್ತಾಲೆ. [illegible]

ತಾ|| 23/1/41

ಬೆಂಗಳೂರು ಸಿಟಿ.

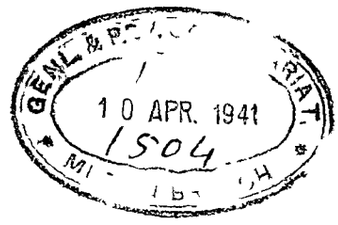
ಈ ಮೊಖ್ತಾರುನಾಮೆ ಅಂಗೀಕರಿಸಿದೆನೆ.

[illegible]

Advocate for [illegible]

23-1-41

V. D. Press, B. City.



BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA

OF MYSORE, BANGALORE.

Petition No of 1940.41

Appellant:-- Respondent:--

T.D.Aswathanarayan) vs. (T. A. Raama Rao

In continuation of his appeal petition dated 23rd January 1941, appealing against the exparte order of the Muzrai Commissioner in Mysore in Mis case No 321 of 40 - 41 dated nil directing that the produce realised from the inam lands of the chatram at Dobbspet(Sompur) Nelamangala taluk should not be allowed to be taken by the appellant, the appellant begs to state as follows:--

The connected records have been since received by Government as called for.

2. The Learned Muzrai Commissioner has since allowed the respondent to take on behalf of the land lord's share of the produce of the Inam lands. Further the respondent has managed to get the produce estimated at a nominal value and taken away the same.

3. The restriction on the appellant continues with the result that he is put to considerable inconvenience and loss, while the produce is being wasted and damaged. The several orders passed by the Learned Muzrai Commissioner in rapid succession have made the cultivating tenants to think that the position of the appellant is very uncertain.

4. The kandayam on the Inam lands for the current year has to be paid and the appellant has paid the first khist and owing to his illness and nondelivery of the produce, he could not pay the second khist. The protracted litigation and conflicting orders have made his financial position very difficult and he cannot pay the remaining kandayam until the produce is deliveredy.

5. He also deposited in the Taluk Treasury the reserve fund contribution amount in arrears viz. Rs.87/8/0 which was payable by the respondent.

Wherefore the appellant prays that the benign Government be pleased to cancel the restriction imposed by the Learned Muzrai Commissioner on the appellant from taking the produce from the Inam lands.

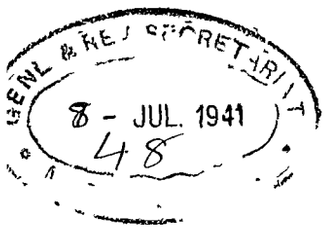
Bangalore City,
9th April 1941

T. D. Aswatthanarayan

Appellant.

A. Krishnappa.

Advocate for appellant.



BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE, & BANGALORE.

Appellant		Respondent
T.D. Aswathanarayan	Vs	T.A. Rama Rao.

In continuation of his appeal petition dated 23rd Jan 1941, appealing against the ex-parte order of the Muzrai Commissioner in Mysore, in Mis. No. 321 of 40-41, dated Nil, directing that the produce realised from the inam lands of the Chatram, at Dobbspet, (Sompur), Nelamangala Taluk, should not be allowed to be taken by the appellant, he begs to state as follows:-

1. The connected records have been since received by the Government as called for. He has submitted a reminder on 19-4-1941 requesting that the disposal of the appeal be expedited.

2. The learned Muzrai Commissioner has since allowed the respondent to take half share of the produce of the inam lands, which is the subject matter of the appeal. The appellant's half portion has been sold away in addition. Instead of relief, he has been put into considerable inconvenience.

3. Several orders passed by the Muzrai Commissioner in rapid succession have made tenants to think that the possession of the appellant is quite uncertain. The appellant has also deposited in the Taluk Treasury, the reserve fund contri-

bution amounting to Rs. 87-8-0 which was payable by the respondent as he had realised the produce in the last year. This payment has also drained his tender purse.

Wherefore, the appellant prays that the benign Government of His Highness may be graciously pleased to ~~cancel~~ post the appeal for argument to an early date.

Shrinivasappa.
Adv for appl

T.D Aswathanarayan

Appellant.

Bangalore,
8-7-1941.

So /mmz dt 18-7-41.

P.mmz/40-41

Forwarded with compliments to the Mysore Commissioner (1) Mysore Bangalore for favour of disposal as conld. in the Mysore letter No 2786 /mmz 261-40-8 dt 15-5-194 By order

2560 MMZ 25 JULY 1941

Under Secretary
For General Secretary to Government

No. P.C. 309/40-41 CK

memo

Forwarded with compliments to the Deputy Commissioner, Bangalore in continuation of this office memo No. P.C 309/40-41 dated 29.5.1941, for enquiry and report

M.N. Ramaiah
24.7.41 for Immigrai Commr

P.mmz 2254/404

Memo

Forwarded (with file) to Sub-Division Office, Doddaballapur in continuation of this office No. P.mmz 2254/404 dated 13.7.41 for enquiry and report

KLN 24/7/41

T.S. Narayana Rao
Dy. Commissioner

29/7/41

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat.

No. 2009 Gen 6 Dated, Bangalore, 30 January 1941.

Jmp 261-40-2

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore.

General Department.

To

The Muzrai Commissioner in Mysore,
Bangalore.

S i r,

I am directed to forward herewith for favour of report petitions with enclosures (to be returned with the reply) dated the 23rd January 1941 from T.D. Aswathnarayan, Clerk, Narasiah's Palyam, Sompur Hobli, Nelamangala Taluk, and from Range Gowda and others of the same place in the matter of the management of the Chattram at Dobb's pet and the properties endowed for the support of the same.

I have the honor to be,

S i r,

Your most obedient servant,

Secretary to Government,
General Department.

JM

SUBJECT.....

.....

.....

Section Mwz

File No. 267-40

Serial No. 2

Diary No. of letter replied to 1108

No. 2009/Genl.

To The Mwz Comr

Sir -

General and Revenue Secretariat

( )

the 19

I am directed to forward herewith for favour of report petitions with enclosures dated 23-1-41 from T. D. Ashwath narayan, Clerk Narasiah's Palyam, Somplar Hobli Nelamangala Tk. and from Range Gowda and others of the same place on the matter of the management of the chattram at Dobbaspet and the properties endowed for the support of the same - & have etc

Date of issue 30-1-41

(To be obtained)

Signed by [illegible]

for 2.2.41

for General Secy

List of enclosures.....

Copied by .....

Examined by .....

WD 086—GPB—40,000—30-7-40

2911

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

ENCL. file

Bangalore, ... 1st ... APRIL ... 1941.

261-40-3.

FROM

RUKN-UL-MULK
S. ABDUL WAJID, B.A.,
Muzrai Commissioner in Mysore.

2 APR 1941
1444

To

GENERAL SECRETARY
2 APR. 1941

J. ... APPAJI ... RAO, B.A., B.L. (Hons.),
Secretary to the Government of His Highness
the Maharaja of Mysore,
... General ... *Department.*

SIR,

Report on the petition of T. ... Satyanarayana Rao regarding the alienation of the Chatram at Doddapet, Telangala T a l u k.

* * *

With reference to your letter No.Misc/ 62-41-2 dated 30th January 1941 calling for a report on the above petition, I have the honour to forward herewith a copy of letter No.Misc/ 40-41 dated 7th March 1941 received from the Deputy Commissioner, Bangalore District, detailing the facts of the case.

2) The petitioner Mr. T.D.Adinarayana Rao was elected to the Joint Management of the Chatram at Doddapet, Telangala Taluk, along with his son Mr. T.A.Rama Rao, in the place of one Ramiah by Order No.Lo/ 88-39 dated 16th July 1938 and 16th August 1939 and this Order was upheld in Government Order No.Lo 52 Dz.39-39-1 dated 3rd April 1940 on the appeal filed by Mr. T.A.Rama Rao.

3) In the petition dated 1/2nd December 1940, Mr. ... Satyanarayana Rao requested that he may be restored to the Management of the Chatram as per the Order of the Deputy Commissioner No.Lo/ ... dated ... which had been confirmed in Government Order No. ... In the Order No.Appl.Lo 61-39-40 dated 11th May ... it was confirmed in Government Order No.Lo66/ Dz. ...-41-1 dated ... 1940 set aside the Order of the Deputy Commissioner dated 26th October 1939 appointing Mr. T.A.Rama Rao as the restored the Joint Management of the petitioner

Mr. T.D.Aswathanarayana Rao along with Mr. T.A.Rama Rao, as previously ordered by the Deputy Commissioner on 29th July 1937. This Order of the Deputy Commissioner dated 29th July 1937 was passed tentatively for a period of three years, and it ceased on 29th July 1940. As the management had therefore to vest with the petitioner T.D.Aswathanarayana Rao from 29th July 1940 who was the sole Manager prior to 29th July 1937, the Deputy Commissioner was requested in this office Order No.Pl.Dis.31a/40-41 dated 26th December 1940, to issue necessary instructions to the local Officers accordingly.

4) Mr. T.A.Rama Rao in his petition dated 2nd January 1941 protested against this office Order dated 26th December 1940 as it had greatly prejudiced his interest, and prayed for a Stay Order pending disposal of his petition. A Stay Order was accordingly issued in this Office No.C.309/40-41 dated 2nd January 1941. Mr. T.D.Aswathanarayana Rao filed a petition on 10th January 1941 representing that Mr. T.A.Rama Rao was making hurried arrangements to snatch away the entire produce forcibly to the exclusion of the petitioner (Mr. T.D.Aswathanarayana Rao) and praying that the stay order might be vacated and the crop held in deposit by appointing a Receiver till the disposal of the case. It was directed in this Office Order No.Pet.C.309/40-41 dated 13th January 1941 that the crop on the endowed lands should not be released to either party but should be kept in deposit by the Amildar, pending disposal of the petition. The Stay Order was cancelled.

5) Mr. T.A.Rama Rao petitioned on 22nd January 1941 representing that the crop was raised by him at his own cost, that Mr. T.D.Aswathanarayana Rao had only joint interest in the crop, that he would lose nothing if the petitioner's (Mr. T.A.Rama Rao's) portion was taken away by him, that the petitioner had leased out his share of the produce in order to secure money to settle the accounts of the Establishment of the Choultry and

other expenses for cultivating the lands, that the crop had been cut and stacked and it would be damaged if it was not dried and thrashed immediately, resulting in much loss to the petitioner, and praying that the Order issued to the Amildar on 15th January 1941 might be vacated and that he might be permitted to take his share of the crops on such conditions as to security as might be deemed fit to impose. Mr. T.A.Rama Rao had executed a pro-Note on 16th August 1940 in favour of Messrs. Abdul Rahaman Hanif Sahib selling his share of the crop on the lands of the Chattram for a consideration of Rs.200/- taken by him in advance from them. These two purchasers of the crop also represented to me for the release of the share of crop of Mr. T.A.Rama Rao.

6) It was ordered on 30th January 1941 that the share of crop of Mr. T.A.Rama Rao might be delivered to him, subject to his depositing in advance cash equivalent to the approximate value of the crop to be handed over to him as per market rates, and that if he was not agreeable to pay cash security, the Amildar should arrange to get the crops thrashed and sell the Chattram 's share of produce and keep the amount in deposit, pending disposal of the matter. The Deputy Commissioner was requested to issue necessary instructions to the Amildar to see that the share of produce of Mr. T.A.Rama Rao was given over to his above two creditors after he got delivery of the same as per above order of this Office dated 30th January 1941.

7) The Deputy Commissioner reports that both Mr. T.V.Venkatanarayana Rao and Mr. T.A.Rama Rao have been fighting only for the enjoyment of the Inam lands, the Chattram being lost in a deplorable condition, that the indulgence that is being shown to one party, or the other, makes matters worse so far as the Institution is concerned, and agreeing with the local officers, he recommends that the management of the Chattram and its endowments may be taken over by Government, till such time the parties settle their differences between themselves and give a clear and acceptable undertaking to Government.

Mutchalika executed before the Sub Division Officer on 3-5-37. This joint

8) According to the agreements executed by Messrs. T.D. Aswathanarayana Rao and T.A.Rama Rao, on 3rd May 1937 before the Sub-Division Officer and on 24th August 1937 before the Amildar, a contribution of Rs.75/- per annum towards the reserve fund is being demanded from them. When the reserve fund is being recovered, the responsibility of keeping the Chattram building under proper repairs does not vest with the Managers, but with Government and it is not clear from the records as to why the local officers have not taken the required action to keep the Chattram Building in proper repairs. Further, from 1937 to 1940, the Chattram was under joint management of Messrs. T.D.Aswathanarayana Rao and T.A.Rama Rao and it was difficult to assess their individual responsibility for the affairs of the Chattram going from bad to worse as opined by the Deputy Commissioner. Before making definite recommendation to Government for taking over the management of the Institution, the enquiry as contemplated under section 17 of the Religious and Charitable Institutions Act will be necessary, and this will be done after the records are received back.

9) As a report was called for in the matter, the entire records together with the petition received with your letter, are sent herewith.

10) Mr. T.D.Aswathanarayana Rao having since petitioned to me on 10th March 1941 praying that he might be permitted to take the remaining portion of the crop this year, I have allowed his request subject to the condition of his depositing in advance the cash value of the crop according to the prevailing market rate, as ordered when Mr. T.A.Rama Rao asked for the hand over of his portion.

I have the honour to be,
Sir,
Your most obedient servant,

Muzrai Commissioner.

Office of the Deputy Commissioner,
Bangalore District,
Dated, Bangalore, 7th March 1941.

No: C3-2254/40-41.
Enc: file.

From

Abdul Aziz Khan, Esq., B.A.,
Deputy Commissioner,
Bangalore District.

To

Rukn-ul-Mulk
S. Abdul Wajid, Esq., B.A.,
Muzrai Commissioner in Mysore,
Bangalore.

Sir,

Subject:- Re: the management of the Chattram at Dobspet in Nelamangala Taluk with its endowed properties. Petition from Mr. T.D.Aswathanarayana Rao, before Government, claiming the management to himself.

With reference to the correspondence ending with your Memo No.P.C. 309/40-41 dated 3rd February 1941, forwarding for report with connected records, petition of Mr. T.D.Aswathanarayana Rao, Clerk, Narasaiah's Palyam, on the above subject, I have the honour to state as follows:-

1. The Chattram situated at Dobspet in Nelamangala Taluk, is endowed with vast extents of Inam lands both wet and dry, for its up-keep and the management of the Chattram with its Inam endowments, was left with the descendant of the original founder of the chattram for the benefit of the travelling public and finally it passed into the hands of Mr.T.D.Aswathanarayana Rao, the present appellant before Government.

2. As there were a lot of complaints against the management of the said Mr. Aswathanarayana Rao, alleging mis-management of the chattram and also mis-application of the income of the properties and also alienation of the Inam lands by way of long leases and mortgaged, an enquiry was held by the Sub Divisic Officer, Dodballapur Sub Division in 1937, and after finding the allegations to be true, suggested that in the interests of the efficient and proper management of the institution, the management of the institution might be vested in the joint managership of the father and the son, the present petitioner and the counter-petitioner respectively before the Government, as per their own -- mutchalika executed before the Sub Division Officer on 3-5-37. This joint

This joint managership was also approved by this office in No.C3-[illegible] dated 29th July 1937, for a period of three years from 1-7-1937 in the first instance.

3. But this order was practically nullified by the father not abiding by the conditions of his own mutchalika referred to above, and he appears to have continued in sole management of the institution much to the prejudice of his son who had in fact fulfilled his part of the contract, as could be seen from the records. As the present petitioner had failed to keep up to the terms of his own mutchalika and in fact had been trying to create all kinds of obstacles in the way of the other party who was really found to be doing some good work for the improvement of the building which was an eye-sore on a provincial road and as the Sub Division Officer, Dodballapur Sub Division also recommended that the entire management of the chattram and its endowments might be transferred to the son Mr. T.A. Rama Rao, as he had agreed to pay the other share of the reserve fund of Rs.75/- that had been fixed by this office, this arrangement was ordered to be given effect to (vide: this office Order No.C3-251/37-38 dated 15-10-38.

4. The father, viz. Mr. Aswathanarayana Rao, preferred an appeal to the Muzrai Commissioner against this latter order of this office, and the said order was cancelled in appeal and the joint managership was restored (vide: your office Order No.App.16/38-39 dated 18-7-39 and subsequent -- endorsement issued to Mr.T.A. Rama Rao on 18-8-39).

5. This order was appealed against by the son Mr.T.A. Rama Rao, to Government, and the Government passed final orders in their Order No.1836/Mua. 83-39-12 dated 2-3-1940 dismissing the appeal. Thus the joint managership of father and son was restored again.

6. In the meanwhile, orders were received in your order No.Bl.Dis. 312/40-41 dated 26th December 1940, that since the tentative period of three years fixed by this office in Order No.C3- D.251/37-38 dated 29-7-37, for the joint managership of father and son, had expired on 29-7-40, the sole managership of the father may be restored.

7. But before this order could be given effect to, orders were again received in your No.P.C.309/40-41 dated 2-1-41, staying the above order, pending

pending disposal of the review petition filed by Mr.K.N.Srinivasan, Advocate, on behalf of Mr. T.A.Rama Rao, the son.

8. Orders were again received in your No.Mis. Case P.C.321/40-41 dated 13-1-41, cancelling the above stay order and directing that the crops on the lands endowed should not be released to either party, but to keep it in deposit, pending disposal of the petitions filed by the parties.

9. Before the above chain of orders could be given effect to, orders were once again received in your No.Mis.C.309/40-41 dated 30-1-41 directing that the son's share of the crops of the Inam lands may be delivered to the creditors of Mr.T.A. Rama Rao, viz., Messrs. Abdul Wahab Sahib and Hanif Sahib, and orders have accordingly been issued to the local Officers to give effect to this last mentioned order of your office.

10. It is thus clear from the records that from the beginning, neither the petitioner nor the counter-petitioner is particular about the fulfilment of the objects for which such vast extents of inam lands have been granted by Government and being inimically disposed towards each other, they are only fighting for the enjoyment of the Inam lands. The chattram building is in fact in a deplorable condition. The indulgence that is being shown to one party or the other, only makes matters worse, so far as the institution is concerned inasmuch as the proper maintenance of the building has no where been imposed as a condition precedent to the grant of concessions to one party or the other. Unless that is enforced by Government, no better results can be expected to ensue in this case.

11. In the circumstances stated above, I fully endorse the opinion expressed by the local Officers and recommend in the best interests of the Institution that the management of the chattram and its endowments may be resumed to Government at once and continued till such time as the parties settle their differences between them and give a clear and acceptable undertaking to Government to the effect that they would keep the institution in a fit condition for the use of the travelling public, maintain proper accounts for the income from the Inam lands and see that no room is given for complaint from any quarter.

12. The entire records connected with the case, together with the petition received with your Memo under reply is enclosed herewith, for your kind reference.

I have the honour to be,
Sir,
Your most obedient servant,

B.S. Ramachandra

For Deputy Commissioner,
Bangalore District.

KRG.2.
7.3.41.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF

General and Revenue Secretariat.

Dated, Bangalore,.....24 April 1941.

No. 2538
Jarug 261-40-4.

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore.

General Department.

To

The Muzrai Commissioner in Mysore,
Bangalore.

S i r,

With reference to your letter No.P.C.309/1940-41, dated the 1st April 1941 regarding the restoration of the sole management of the Chattram at Dobbspet, Nelamangala Taluk to Mr. T.D.Aswathnarayan, I am directed to state that your office file containing your order No. Pet.C.309/1940-41 dated the 10th January 1941 referred to in paragraph 4 of your letter under advertence is not among the records received here, and to request you to be so good as to forward the same for reference and return along with other records in due course.

I have the honour to be,

S i r,

Your most obedient servant,

Secretary to Government,
General Department.

UBJECT .....

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2 Copies

Section Mwz
File No. 261-40
Serial No. 4

Diary No. of letter replied to...1444.....

No. 2538

To

The C

General and Revenue Secretariat

( )

the *19* .

Sir.

With reference to your letter

Date of issue 14.4.41

No PC 309/40-41 dt 1-4-41

re the restoration of the sole management

Signed by S.K.V.

of the Chattram at Dobbspet, Nela-
to T.D Aswathnarayan,
mangala Taluq I am directed
File Containing your
to state that your Pre/order

No Ret. C 309/40-41 dt 13-1-41

referred to in para 4 of your
under adjudication
letter is not among the records

List of enclosures .....

received here, and to request

You to be so good as to forward the

Copied by .....

same for record & transmit
the file containing the
records in due course
aforesaid order dt 13-1-41.

Examined by .....

WD 086—GPB—40,000—30-7-40

~~facilitate further action of the matter~~

Above etc

For General Secretary to Government

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore, 28th April 1941 XXX.

Rukn-ul-Mulk
S. ABDUL WAJID, Esq., B.A.,
~~N. MADHAVA RAU, Esq., B.A., B.L.~~
Muzrai Commissioner in Mysore,
Bangalore.

Ref. 261-40-5

GENL & REVENUE SECT. 29. APR. 1941 1603 MUZRAI BR.

J. Appaji Gowda, Esq., B.A.(Hons.)

Secretary to the Government of His Highness the Maharaja of Mysore,
General ..... *Department*

GENERAL SECRETARIAT 29 APR. 1941

R,

Re. the management of the Chattram at Dobbspet, Nelamangal Taluq.

With reference to your letter No.2538/Muz.261-40-4 dated 4-4-1941, calling for certain additional records on the above subject, I have the honor to forward herewith this Office file No.F.C.309/40-41 containing the Order dated 13-1-1941, together with the marginally noted previous files on the subject.

File No.
App.16/38-39
D2 Dis.1166/39-40
D1 Dis.312/40-41

I have the honor to be,
Sir,
Your most obedient servant,

S. Abdul Wajid

For Muzrai Commissioner.

klw

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat.

No. 2714 Ex Records

Secy 261-40-6

Dated, Bangalore, 30th May 1941.

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore.

General Department.

To

The Muzrai Commissioner in Mysore,
Bangalore.

S i r,

With reference to correspondence ending with your letter No.P.C.309/40-41 dated 28th April 1941 regarding the restoration of the sole management of the chattram at Dobbspet, Nelamangala Taluk to Mr. T.D.Aswathanarayana Rao, I am directed to observe that the system of joint management of the abovesaid chattram and the lands endowed to it by Mr. T.D.Aswathanarayana Rao and his son T.A. Rama Rao with antagonistic interests is good neither to the parties nor to the institution, and to state that a thorough enquiry may therefore be made and suitable orders passed early. The entire records on the subject are returned herewith together with petitions received from Mr. T.D.Aswathanarayana Rao.

I have the honour to be,

S i r,

Your most obedient servant.

Secretary to Government,
General Department.

SUBJECT .....

.....

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Section Mun

File No. 261-40

Serial No. 6

Diary No. of letter replied to 1603

No. 2714/Ecl Revds.

To

The Collector of Chittoor

General and Revenue Secretariat

( )

the 19 .

Sir

Date of issue 3-5-1941

With reference to correspondence ending with Your letter No P.C 309/40-41 dt 28-4-41 re the restoration of the sole management of the chattram at Dobbspet, Nelamangala Tk to Mr T.D. Aswatha-narayana Rao I am directed to observe that the system of joint management of the above said chattram and the lands endowed to it (by Mr T D Aswathnarayan Rao and his son T A Rama Rao) with an

List of enclosures .....

Copied by .....

Examined by .....

23

genuine ~~attitude~~ interest is good.
LR
~~to~~ neither party, nor to the institution,
and to state that a thorough
enquiry ~~should~~ be made and
suitable orders passed ~~Necessary~~
~~action may be taken early~~ - The
entire records on the subject ~~are~~
are returned herewith together
with petition from M R.D. Ashwatha -
narayana Rao

I have etc--

Ina Reddy

For General Secretary to Govt
CKS

SUBJECT .....

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.....

Section MWJ

File No. 261-40

Serial No. 8

Diary No. of letter replied to. 1662

Date of issue 15th May 1941

Signed by M. S K-V

List of enclosures .....

Copied by .....

Examined by .....

General and Revenue Secretariat

( )

the 19 .

No. 2786/

To

M. C

Sir

In continuation of letter No 2714/MWJ 261-40-6 of 3-5-1941 from the Board of Revenue the management of Clarke Narasiah's Poultry on the Dhamodaya Inam Lands at Pottapet, Nellamangala Taluk, I am directed to forward herewith petn of 6-5-1941 from Mr T D Thayapathy, Agricultural Inspector Gombidnur praying that he may be appointed as the manager for the aforesaid Chattram for favour of disposal

I have etc

for 16/5/41

For General Secretary to Govt

WD 086—GPB—40,000—30-7-40

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat.

No. 27 Rev/Muz 261-40-8 *Dated, Bangalore,* 1st May 1941.
Encl 1 petition

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore

General Department.

To

The Muzrai Commissioner
in Mysore, Bangalore.

Sir,

In continuation of this office letter No.2714/Muz.261-40-6 dated 3rd May 1941 about the management of Clarke Narasiah's Choultry in Dobbspet, Nelamangala Taluk, and the Dharmadaya Inam lands endowed therefor, I am directed to forward herewith for disposal petition dated 6/7th May 1941 from Mr.T.D. Chayapathy, Agricultural Inspector, Goribidanur, requesting that he may be allowed to be the Manager of the Chattram and lands belonging to it.

I have the honour to be,
Sir,
Your most obedient servant.

for Secretary to Government,
C.K.S. General Department.

BSN/2.

Please quote this number in your future communications.
No. 2787/Mmz

Office of the .. G.K.S. .....

Dated ..... 15th May ..... 1941.

ENDORSEMENT.

Mr T.D. Bhayapathy ~~Esq~~ Asst. Inspector - Goshedmen
C/o A. Venkata Ramaiya Esq M.A. LLB.
Advocate Bangalore city

Reference:—His/~~Her~~ letter/petition dated. ..... 6-5-1941 .....

Subject :— Praying that he may be appointed as the Manager of Clarke Nandiahs Choultry at Doddapet, Nelamangala Tk.

Reference is invited to item No .....2..... below.

By order

Signature.

Designation. for General Secretary to Govt

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*1. ~~The request cannot be granted~~.....

2. The ~~letter~~/petition has been referred to ..... for ..... displ .....

3. Attention is drawn to this office No. ..... dated .....

4. No. ..... dated ..... cannot be traced; a copy may be sent.

5. The enclosures are not received.

6. The petition is returned herewith as
   (i) it is not in the prescribed form
   or (ii) it is not duly stamped
   or (iii) it is not presented within the prescribed time
   or (iv) it is not accompanied by a copy of the order appealed from or complained of.

7. The petition is returned for presentation to .....

8. The petition is returned
   (*a*) as it is written illegibly
   (*b*) as its subject matter is not clear
   (*c*) as it is couched in improper language.